

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

March 2, 2015
8:00 p.m.

Council Chamber
Bellevue, Washington

PRESENT: Mayor Balducci, Deputy Mayor Wallace, and Councilmembers Chelminiak¹, Robertson, Robinson, and Stokes

ABSENT: Councilmember Lee

1. Call to Order

The meeting was called to order at 8:01 p.m., with Mayor Balducci presiding.

2. Roll Call, Flag Salute

All Councilmembers except Councilmembers Chelminiak and Lee were present. Councilmember Robinson led the flag salute.

3. Communications: Written and Oral

- (a) Eileen Tiamzon, Emily Hernandez, and Eila Sturdivant from Bellevue Youth Theatre thanked the Council for the new, beautiful theatre at Crossroads. They invited the Council and the public to the grand opening on March 14, 11:00 p.m. to 1:00 p.m. This season's performances are Oblivion and the Pointless Forest, Rapunzel, Once Upon a Mattress, and Midsummer Night's Dream. Ms. Sturdivant, Executive Event Coordinator of the Teen Advisory Board, read the mission statement of the Board and commented on their activities.
- (b) Steve Roberts, Director of Congregations for the Homeless (CFH), described the services they provide including housing, job search assistance, and addiction programs. He thanked Bellevue and other cities for their ongoing funding. Mr. Roberts said the men's day center is located at NE 8th Street and 108th Avenue NE in the First Congregational Church. The Eastside Winter Shelter, near Lowe's hardware store, serves approximately 80 men per night and is a temporary partnership with the City and Sound Transit. He expressed support for the efforts of ARCH (A Regional Coalition for Housing) and ARCH-related resolutions on the Council's Consent Calendar that evening.

¹ Councilmember Chelminiak joined the meeting at approximately 8:05 p.m.

Mayor Balducci announced that Councilmember Lee was in a minor car accident and unable to attend the meeting.

Mayor Balducci noted to Mr. Roberts that siting a permanent overnight shelter is a high priority for the Council.

- (c) Norm Hansen, representing the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE), spoke regarding Resolution No. 8885 involving an electrical easement with Puget Sound Energy on Lakemont Boulevard. He said he emailed the Council earlier in the day recommending that the City only allow underground utilities in that area. He said CENSE and residents would like to work with the City on issues related to electrical utilities.
- (d) Joe Rosmann commented on his continuing review of 90-percent design documents for Sound Transit's East Link light rail project. He recalled original plans to place the alignment in a deep trench in front of the Winters House and in a deep retained cut beginning north of the house. He said Sound Transit now plans to place more of the alignment at-grade, which requires noise walls up to 10 feet. He said walkers, bikers, and drivers will no longer be able to see into the Mercer Slough Nature Park. The tall noise walls will also reflect noise into the Enatai neighborhood and into the park. He said the walls create a channel with little air movement, which will hold the pollution from the cars and trains.
- (e) Alex Zimmerman, StandUP-America, said he has had complaints about the Police Department for several years and nothing has ever happened. He said Councilmembers are crooks. He reiterated his ongoing request that the City Manager hold monthly community forums. Mr. Zimmerman said Mayor Balducci is now running for the King County Council. He called for common sense in government and said not one honest man works for government.

4. Reports of Community Council, Boards and Commissions

Arts Commissioner Philip Malkin said he serves as chair of the Commission's allocation committee, which reviews applications and makes recommendations to the Commission for the Eastside Arts Partnerships (EAP) and Special Projects programs. The Arts Commission reviewed 32 applications and voted on the recommendations provided to the Council. EAP funding is targeted for arts groups with a proven track record of programming that serves the community. Special Projects funding supports one-time or once-yearly projects in Bellevue, which provides important support and encouragement for individual artists and small arts organizations.

Highlights of this year's applicants include the Seattle International Film Festival and Bellevue World Taiko Festival. Mr. Malkin said the Commission is seeing increased diversity in the applicants as well as ongoing concerns about the difficulty of finding space for the arts. He asked the Council to approve the recommendations provided in the meeting packet.

Mayor Balducci thanked the Arts Commission for their hard work. She said she hopes to see some of the smaller arts groups and first-time applicants thrive and become sustaining organizations.

Councilmember Stokes said he attended the last Arts Commission meeting where there was a very good discussion about the applicants, criteria, and ultimate recommendations. He thanked Commissioners for their volunteer service to the community. He observed that the applicants for funding represent a broad spectrum of groups. He expressed support for retaining and growing arts organizations.

Councilmember Robinson said she is pleased to see the broad variety of cultural art forms represented by the recommendations. She is proud that the City supports such a diverse group of art forms. She is personally interested in Ballet Bellevue and would like to hear ideas about what the City could do to support it better, not just in terms of funding but logistically.

5. Report of the City Manager

City Manager Brad Miyake highlighted items originally scheduled for the earlier Study Session, which was cancelled.

(a) Hiring of New Police Chief

Mr. Miyake announced the hiring of Stephen Mylett as the new Police Chief. He is currently the Police Chief in Southlake, Texas, and has more than 20 years of law enforcement experience in Southlake and Corpus Christi. Chief Mylett values Bellevue's diversity and the City's culture of a high performance organization (HPO).

Mayor Balducci said the Council was pleased to see this selection.

(b) East Main Station Area Planning

Mr. Miyake noted the management brief in the meeting packet regarding the East Main Station Area Planning Citizens Advisory Committee (CAC).

Mike Kattermann, Senior Planner, said the focus of the station area CACs is the area within one-quarter to one-half mile of the stations. The work does not address station design.

Mr. Kattermann noted the map in the Council's desk packet of the South Bellevue Station Area. No land use changes are proposed and a CAC was not anticipated for that area. Staff has been working with a number of stakeholders and community groups who have been following the overall planning work of the light rail project. A workshop was held in October 2013. The main issues raised by the community with regard to the South Bellevue Station are preserving the existing character of the area, safety and crime prevention, protecting Mercer Slough Nature Park, cut-through traffic and overall congestion, bike and pedestrian safety, and overflow parking into the neighborhood.

Mr. Kattermann said an open house is scheduled for March 3 to review and invite feedback on proposed strategies for addressing issues of concern.

The East Main Station Area Citizens Advisory Committee (CAC) began meeting in September and hosted an open house in October. The CAC worked to develop background information and to define the scope of the consultant contract. The CAC began working with the consultant last week to create a vision for the redevelopment area, which is the area south of Main Street and east of 112th Avenue, down to SE 8th Street. This includes everything currently zoned Office and Limited Business (OLB). Mr. Kattermann said the new owners of the Red Lion site have been actively involved in this process and will present their ideas for redevelopment in the near future.

Mr. Kattermann highlighted issues to be addressed by the East Main Station Area CAC including changes to vehicular access due to the closure of SE 4th Street and SE 1st Place, as well as related impacts on overall congestion and cut-through traffic on 108th Avenue SE. Additional issues are commuter parking in the neighborhood, good pedestrian and bike access to the station, and the redevelopment vision for the area.

Mr. Kattermann said the CAC will meet twice monthly for the next few months. A public open house is anticipated in late April and again in June after the release of the draft report. Comments will be accepted online as well. The CAC schedule targets completion of a final plan and presentation to the Council in September.

Councilmember Robinson said she has heard comments from residents in the north end of the Surrey Downs neighborhood who would like to retain the Old Bellevue feel along Main Street. Mr. Kattermann said the CAC did hear those comments during the October open house. There was a suggestion to extend the Old Bellevue feel all the way to 112th Avenue. He said the redevelopment area east of 112th Avenue also provides the potential for businesses easily accessible to pedestrians.

Mayor Balducci thanked Mr. Kattermann for his work.

(c) National Pollutant Discharge Elimination System (NPDES) Permit Annual Report

Mr. Miyake noted the completion of the annual report for the National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit. Federal law requires that local governments provide an annual report to the state Department of Ecology by March 31. Council action on the report will be on the March 16 Consent Calendar. Mr. Miyake said the meeting packet provides extensive information on the annual report.

Paul Bucich, Assistant Director of the Utilities Department, said the NPDES annual report is presented to the City's Environmental Services Commission for review and comment. The opportunity for citizens to review and comment on the annual report and information on the overall NPDES program is provided on the City's web site.

Mayor Balducci suggested that the City provide more information about the NPDES program through *It's Your City* and other appropriate mailings (e.g., utility bills).

6. Council Business and New Initiatives

(a) Motion to engage Suzanne Dugan to perform Ethics Officer Services

Mayor Balducci recalled previous Council discussion regarding the selection of an individual to provide Ethics Officer services as needed for the City Council, Boards, Commissions, and other appointed bodies.

→ Councilmember Stokes moved to direct staff to engage Suzanne Dugan of the firm Cohen Milstein Sellers and Toll, PLLC, to perform Ethics Officer services for the City Council, Boards and Commissions, and other Council-appointed bodies. Councilmember Robertson seconded the motion.

→ The motion carried by a vote of 6-0.

Mayor Balducci noted that this is the first Ethics Officer for the City of Bellevue and she is proud to be part of it.

Councilmember Chelminiak reported that he attended the Bellevue Convention Center Authority (BCCA) Board meeting.

As a separate item, Mr. Chelminiak said Officer Scott Montgomery provides an interesting and valuable “active shooter” presentation to help citizens know what to do in such a situation in a public place. Mr. Chelminiak would like an opportunity to attend one of the presentations.

Deputy Mayor Wallace requested a follow-up on Mr. Rosmann’s comments during Oral Communications. He questioned whether there is a difference between Mr. Rosmann’s description and the Sound Transit video shown in the past to the Council. Mr. Wallace said his recollection is that the light rail alignment stays in a trench north of the Winters House and beyond the Y. Mr. Miyake said staff will get more information on those details.

Deputy Mayor Wallace said Councilmember Lee is doing fine following his earlier car accident. He said the aid car showed up within one minute and he is home and doing well.

Councilmember Robertson said she went to the Comprehensive Plan Update open house and joint meeting of the Boards and Commissions. Board and Commission members were split up among tables, which generated great discussions across the subject areas of each body. She suggested they have a joint meeting at least once per year, even if it is not focused on a specific project or planning effort.

Councilmember Robertson said all Councilmembers attended the Eastside Heritage Center dinner. She attended the Police Chief candidates open house and the Wintergrass Festival. She and Councilmember Robinson went to the big concrete pour for the Lincoln Square II expansion project.

Councilmember Stokes said he was on the Board of the Eastside Heritage Center in the past, and it was exciting to see the increasing community interest and attendance at the annual fundraiser.

Councilmember Robinson reported that she traveled to Olympia to represent Bellevue at the Washington Tech Cities Coalition meeting. She learned about Code for America, a national nonprofit that encourages new technology graduates to work in the public sector for one year. She highlighted the group's eight goals for local government. She suggested that the City consider participating in this program.

Mayor Balducci said the annual Council Retreat was held in mid-February. Much of the discussion was about Council's internal procedures and work with City staff. One decision was that Councilmembers will begin submitting written reports of Council Business and will highlight only certain items during the meeting. Another goal is to update City Codes that apply to Boards and Commissions.

Mayor Balducci reported that she attended the meeting of the Puget Sound Regional Council (PSRC) Executive Board.

Ms. Balducci welcomed visitors from the Pacifica Institute, which is a nonprofit organization established in 2003 by a group of Turkish-Americans with a vision to develop social capital. They provide training and networking opportunities related to overcoming cross-cultural and religious barriers.

7. Approval of the Agenda

→ Councilmember Chelminiak moved to approve the agenda, and Deputy Mayor Wallace seconded the motion.

→ The motion to approve the agenda carried by a vote of 6-0.

8. Consent Calendar

→ Councilmember Chelminiak moved to approve the Consent Calendar, and Councilmember Stokes seconded the motion.

→ The motion to approve the Consent Calendar carried by a vote of 6-0, and the following items were approved:

(a) Council Meeting Minutes

Minutes of February 9, 2015 Extended Study Session

(b) Resolution No. 8883 authorizing execution of an interlocal agreement with the City of Redmond for the design and construction of an overlay project on the multijurisdictional segment of 148th Avenue NE between State Route 520 and NE 36th Street.

- (c) Resolution No. 8884 authorizing execution of a professional services agreement with RH2 Engineering, Inc. for engineering services for the Bellefield Pump Station Capacity Improvements during Construction Project, in the amount of \$219,000 (CIP Plan No. S-53).
- (d) Motion to award Bid No. 15004, NE 4th Street Extension, from the BNSF RR Right-of-Way (now known as the Eastside Rail Corridor) to 120th Avenue NE (Phase II) project (CIP Plan No. PW-R-160) and Water Facilities for NE 4th Street Extension (CIP Plan No. W-106) to 3 Kings Environmental, as the lowest responsible and responsive bidder, in the amount of \$3,033,532.00.
- (e) Motion to Award Bid No. 15005, for the Americans with Disabilities Act Upgrades for 2015 Overlay Program to Kamins Construction, Inc., as the lowest responsive and responsible bidder in the amount of \$989,687.31 (CIP Plan PW-M-1).
- (f) Resolution No. 8885 authorizing the granting of Non-Exclusive Easements to Puget Sound Energy, Inc., over, under, across and through Tracks A and B of the Lakemont Point Short Plat owned by the City to install, operate, and maintain electrical power transmission and distribution systems which are necessary to complete the improvements at the intersection of Lakemont Boulevard SE and SE Cougar Mountain Way.
- (g) Resolution No. 8886 authorizing execution of a Turnback Agreement (TB1-0210), between the Washington State Department of Transportation (WSDOT) and the City, leading to the transfer of right-of-way located within the vicinity of the SR 520 / Bellevue Way interchange, 103rd Place NE, and Northup Way / 108th Avenue NE intersection.
- (h) Ordinance No. 6220 authorizing execution of an Interlocal Agreement with King County to accept reimbursement grant funds from the 2015-2016 Waste Reduction and Recycling (WRR) Program grant agreement to implement WRR projects in accordance with the King County Comprehensive Solid Waste Management Plan; appropriating unanticipated and future revenues to the Solid Waste Fund; and authorizing expenditures of said grant funds.
- (i) Motion authorizing allocation of funds to artists and arts groups serving Bellevue through the Eastside Arts Partnerships and Special Projects Funding Programs.
- (j) Resolution No. 8887 approving the ARCH (A Regional Coalition for Housing) 2015 Administrative Budget and Work Program as recommended by the ARCH Executive Board. [*Previously discussed with Council on February 17, 2015.*]
- (k) Resolution No. 8888 authorizing entering into an agreement as recommended by the ARCH (A Regional Coalition for Housing) Executive Board for the Congregations for the Homeless/King County Housing Authority Men's Winter

Shelter in the amount of \$383,500; for the Regional Equitable Development Initiative (REDI) fund in the amount of \$250,000; and for the Parkview XI home for low income persons with developmental disabilities in the amount of \$55,900. *[Previously discussed with Council on February 17, 2015.]*

9. Public Hearing: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Resolution No. 8889 authorizing the City Manager or his designee to execute an Option Agreement and all documents necessary for the sale of up to 20,000 square feet of Bonus Floor Area owned by the City to Schnitzer West.

Mr. Miyake said Resolution No. 8889 authorizes the City Manager or designee to execute an Option Agreement and all documents necessary for the sale of up to 20,000 square feet of Bonus Floor Area owned by the City to Schnitzer West.

Chris Salomone, Director of Planning and Community Development, said this item relates to the provisions for the disposal of Bonus Floor Area, which were set with the development of the City Hall site.

Emil King, Strategic Planning Manager, said the City earned Bonus Floor Area when the City Hall Plaza was developed in 2005. Some of that was sold to Schnitzer West in 2007 and 2010. The City recently received a request to enter into an option agreement for up to 20,000 square feet of Bonus Floor Area. Staff has worked over the past two weeks to develop provisions for the agreement including a purchase price of \$15 per square foot, an earnest money payment of \$9,000, and the ability to purchase up to 20,000 square feet based on the approval of approximately 7,100 square feet for the Office 415 project by Schnitzer West. The option agreement would be in effect for five years from the date of execution.

Responding to Councilmember Stokes, Mr. King said the Land Use Code allows the transfer of floor area not used by a project (i.e., City Hall) to another project within the Downtown Subarea. The idea is that the Pedestrian Corridor and open space are important elements of the Downtown environment and should be encouraged.

In further response, Mr. King said Schnitzer West has received design review approval, and the project is in the demolition and early construction phase. The transfer of Bonus Floor Area does not affect building height but has more to do with how the interior of the space is configured and leased.

Responding to Councilmember Robinson, Mr. King said the 2007 and 2010 transactions reflected a purchase price of \$7.50 per square foot. The proposed option agreement reflects a negotiated price of \$15 per square foot.

→ Councilmember Stokes moved to approve Resolution No. 8889, and Councilmember Robertson seconded the motion.

→ The motion carried by a vote of 6-0.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:07 p.m., Mayor Balducci declared the meeting adjourned.

Myrna L. Basich, MMC
City Clerk

/kaw